

Attorney Docket No.: 021713-000300US
Client Ref. No.:

PTO/SB/01A (08-03)

**DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION USING AN
APPLICATION DATA SHEET (37 CFR 1.76)**

Title of Invention

**METHOD AND SYSTEM FOR HERMETICALLY SEALING PACKAGES FOR
OPTICS**

As the below named inventor(s), I/we declare that:

This declaration is directed to:

- ☐ The attached application, or
- ☒ Application No. 10/693,323, filed on October 24, 2003,
- ☐ as amended on _____ (if applicable);

I/we believe that I/we am/are the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought;

I/we have reviewed and understand the contents of the above-identified application, including the claims, as amended by any amendment specifically referred to above;

I/we acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me/us to be material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT International filing date of the continuation-in-part application.

All statements made herein of my/our own knowledge are true, all statements made herein on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and may jeopardize the validity of the application or any patent issuing thereon.

FULL NAME OF INVENTOR(S)

Inventor 1 Xiao Yang

Date:

3/5/04

Signature:

Citizen of:

Peoples Republic of
China

Inventor 2 _____

Date: _____

Signature: _____

Citizen of: _____

Inventor 3 _____

Date: _____

Signature: _____

Citizen of: _____

☐ Additional inventors are being named on additional form(s) attached hereto.



POWER OF ATTORNEY and CORRESPONDENCE ADDRESS INDICATION FORM	Application Number	10/693,323
	Filing Date	October 24, 2003
	First Named Inventor	Yang, Xiao
	Title	METHOD AND SYSTEM FOR HERMETICALLY SEALING PACKAGES FOR OPTICS
	Art Unit	1733
	Examiner Name	
	Attorney Docket Number	021713-000300US

I hereby appoint:

☒ Practitioners associated with the Customer Number

20350

OR

☐ Practitioner(s) named below:

Name	Registration Number

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

Please recognize or change the correspondence address for the above-identified application to:

☒ The address associated with the above-mentioned Customer Number:

OR

☐ The address associated with Customer Number:

OR

<input type="checkbox"/> Firm or Individual Name					
Address					
Address					
City		State		ZIP	
Country					
Telephone		Fax			

I am the:

☐ Applicant/Inventor.☒ Assignee of record of the entire interest. See 37 CFR 3.71.
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).

SIGNATURE of Applicant or Assignee of Record

Name	X Jie CHEN, VP		
Signature	X [Signature]		
Date	3/5/04	Telephone	

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

☐ *Total of _____ forms are submitted.

**STATEMENT UNDER 37 CFR 3.73(b)**Applicant/Patent Owner: Xiao YangApplication No./Patent No.: 10/693,323/ Filed/Issue Date: October 24, 2003 /Entitled: METHOD AND SYSTEM FOR HERMETICALLY SEALING PACKAGES FOR OPTICSXHP Microsystems, Inc., a corporation

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest.
The extent (by, percentage) of its ownership interest is _____%

in the patent application/patent identified above by virtue of either:

- A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

OR

- B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: _____ To: _____

The document was recorded in the United States Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.

2. From: _____ To: _____

The document was recorded in the United States Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

☐ Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.8]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

x 3/5/04
Date

Telephone number

x JIE CHEN
Typed or printed name

x [Signature]
Signature

x VP
Title



Attorney Docket No.: 021713-000300US

ASSIGNMENT OF PATENT APPLICATION

SOLE

WHEREAS, Xiao Yang of 902 Rockefeller Drive, 5A, Sunnyvale, CA 94087 hereinafter referred to as "Assignor," is the inventor of the invention described and set forth in the below-identified application for United States Letters Patent:

Title of Invention: METHOD AND SYSTEM FOR HERMETICALLY
 SEALING PACKAGES FOR OPTICS

Date(s) of execution of Declaration:

Filing Date: October 24, 2003

Application No.: 10/693,323; and

WHEREAS, XHP Microsystems, Inc., a corporation of the state of Delaware, located at 2880 Lakeside Drive, Suite 260, Santa Clara, CA 95054, hereinafter referred to as "ASSIGNEE," is desirous of acquiring an interest in the invention and application and in any U.S. Letters Patent and Registrations which may be granted on the same;

For good and valuable consideration, receipt of which is hereby acknowledged by Assignor, Assignor has assigned, and by these presents does assign to Assignee all right, title and interest in and to the invention and application and to all foreign counterparts (including patent, utility model and industrial designs), and in and to any Letters Patent and Registrations which may hereafter be granted on any patent application claiming priority from the same in the United States and all countries throughout the world, and to claim the priority from the application as provided by the Paris Convention. The right, title and interest is to be held and enjoyed by Assignee and Assignee's successors and assigns as fully and exclusively as it would have been held and enjoyed by Assignor had this Assignment not been made, for the full term of any Letters Patent and Registrations which may be granted thereon, or of any division, renewal, continuation in whole or in part, substitution, conversion, reissue, prolongation or extension thereof.

Assignor further agrees that Assignor will, without charge to Assignee, but at Assignee's expense, (a) cooperate with Assignee in the prosecution of U.S. Patent applications and foreign counterparts on the invention and any improvements, (b) execute, verify, acknowledge and deliver all such further papers, including applications and instruments of transfer, and (c) perform such other acts as Assignee lawfully may request to obtain or maintain Letters Patent and Registrations for the invention and improvements in any and all countries, and to vest title thereto in Assignee, or Assignee's successors and assigns.

IN TESTIMONY WHEREOF, Assignor has signed his/her name on the date indicated.

Dated: _____

3/5/04

Xiao Yang

Delaware

PAGE 1

The First State

I, HARRIET SMITH WINDSOR, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THE ATTACHED IS A TRUE AND CORRECT COPY OF THE CERTIFICATE OF AMENDMENT OF "XHP MICROSYSTEMS, INC.", CHANGING ITS NAME FROM "XHP MICROSYSTEMS, INC." TO "MIRADIA INC.", FILED IN THIS OFFICE ON THE SEVENTEENTH DAY OF DECEMBER, A.D. 2003, AT 3:28 O'CLOCK P.M.

A FILED COPY OF THIS CERTIFICATE HAS BEEN FORWARDED TO THE KENT COUNTY RECORDER OF DEEDS.

Delaware

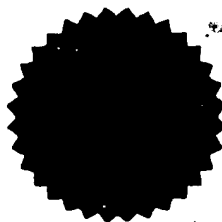
PAGE 1

The First State

SECRETARY OF STATE OF THE STATE OF DELAWARE

I, HARRIET SMITH WINDSOR, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THE ATTACHED IS A TRUE AND CORRECT COPY OF THE CERTIFICATE OF AMENDMENT OF "XHP MICROSYSTEMS, INC.", CHANGING ITS NAME FROM "XHP MICROSYSTEMS, INC." TO "MIRADIA INC.", FILED IN THIS OFFICE ON THE SEVENTEENTH DAY OF DECEMBER, A.D. 2003, AT 3:28 O'CLOCK P.M.

A FILED COPY OF THIS CERTIFICATE HAS BEEN FORWARDED TO THE KENT COUNTY RECORDER OF DEEDS.



Harriet Smith Windsor

Harriet Smith Windsor, Secretary of State

3535700 8100

AUTHENTICATION: 2830336

030814917

DATE: 12-22-03

**CERTIFICATE OF AMENDMENT
OF
RESTATED CERTIFICATE OF INCORPORATION
OF
XHP MICROSYSTEMS, INC.**

XHP Microsystems, Inc., a Delaware corporation, does hereby certify that the following amendment to the corporation's Restated Certificate of Incorporation has been duly adopted by the corporation's board of directors and stockholders in accordance with the provisions of Section 242 of the Delaware General Corporation Law, with the approval of such amendment by the corporation's stockholders having been given by written consent without a meeting in accordance with Sections 228 and 242 of the Delaware General Corporation Law:

Article I of the corporation's Restated Certificate of Incorporation, relating to the name of the corporation, is amended to read in its entirety as follows:

"ARTICLE I

The name of the corporation is Miradia Inc."

IN WITNESS WHEREOF, said corporation has caused this Certificate of Amendment to be signed by its duly authorized officer this 12 day of December, 2003, and the foregoing facts stated herein are true and correct.

OF

XHP Microsystems, Inc.

CERTIFICATE OF INCORPORATION

OF

By: 

XHP MICROSYSTEMS, Inc. Jay Chen, Chief Executive Officer

XHP Microsystems, Inc., a Delaware corporation, does hereby certify that the following amendment to the corporation's Restated Certificate of Incorporation has been duly adopted by the corporation's board of directors and stockholders in accordance with the provisions of Section 242 of the Delaware General Corporation Law, with the approval of such amendment by the corporation's stockholders having been given by written consent without a meeting in accordance with Sections 228 and 242 of the Delaware General Corporation Law:

Restated Certificate of Incorporation, relating to the name of the corporation, is amended to read in its entirety as follows:

"ARTICLE I

The name of the corporation is Miradia Inc."

and corporation has caused this Certificate of Amendment to be signed by its duly authorized officer this 12 day of December, 2003, and the foregoing facts stated herein are true and correct.

State of Delaware
Secretary of State
Division of Corporations
Delivered 03:28 PM 12/17/2003
FILED 03:28 PM 12/17/2003
SRV 030814917 - 3535700 FILE

XHP Microsystems, Inc.

Jay Chen, Chief Executive Officer